ELECTRONIC SERVICE PROVIDER

Definitions

Personal Health Information (PHI): any identifying information about an individual in oral or recorded form that relates to the individual's physical or mental health, health history of the individual's family, the provision of health care, health card number, or identifies the individual's substitute decision maker. (Source: Personal Health Information Protection Act, S.O. 2004, Chapter 3, Schedule A (PHIPA).)

Electronic Service Provider (ESP): a third party that is retained by a health information custodian (HIC) to assist in providing services to a HIC. The services are for the purpose of enabling a HIC to use electronic means to collect, use, modify, disclose, retain, or dispose of PHI.

Procedure

1.0 Restrictions on Use and Disclosure of PHI

1.1 Where KFL&A Public Health is acting as an ESP and is not acting as an agent of the HIC(s) to whom it provides ESP services, KFL&A Public Health shall:

a. not use any PHI to which it has access in the course of providing the services except as necessary for the purpose of providing those services,

b. not disclose any PHI to which it has access in the course of providing the services, and

c. not permit its employees or any person acting on its behalf to access any PHI unless the employee or person agrees to comply with the restrictions that apply to KFL&A Public Health under 1.1(a) and (b), above.

2.0 Persons Acting on Behalf of KFL&A Public Health as ESP

2.1 KFL&A Public Health shall require employees and persons acting on its behalf in its capacity as an ESP to:

a. execute a confidentiality or other form of agreement that includes the obligations set out in s. 1.1(a) and (b), above,

b. successfully complete a privacy training module that encompasses the PHIPA obligations of a ESP and the specific role and obligations of KFL&A Public Health as an ESP in the circumstances in which the employee or person acts on behalf of KFL&A Public Health, and

c. sign an acknowledgement that indicates the employee or person understood the training module and understands his or her obligations when acting on behalf of KFL&A Public Health.

ORIGINAL DATE:
2015-06-24

REVISIONS: